

# Staff Summary Report



Hearing Officer Hearing Date: December 18, 2007

Agenda Item Number: 9

**SUBJECT:** This is a public hearing for a request by the **MAYO RESIDENCE (PL070505)** located at 1349 West Elna Road for one (1) use permit.

**DOCUMENT NAME:** 20071218dsac02

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the **MAYO RESIDENCE (PL070505)** (Frank Mayo, applicant/property owner) located at 1349 West Elna Rae Street in the R1-6, Single Family Residential District for:

**ZUP07187** Use permit to allow an accessory building (garage).

**PREPARED BY:** Alan Como, Planner II (480-350-8439)

**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

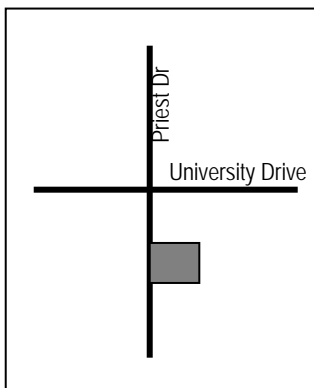
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**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions (1-4)

**ADDITIONAL INFO:** The Mayo residence is requesting a use permit to allow a 560 square foot accessory building in the rear yard. The applicant intends to use the accessory building to store woodworking tools and materials, as well as function as a workshop. Staff recommends approval of the use permit as the structure meets the conditions set forth in the Zoning and Development Code for accessory buildings.



**PAGES:**

1. List of Attachments
2. Comments; Reason for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Elevations
- 6-7. Staff Photograph(s)

## COMMENTS:

The Mayo residence is requesting a use permit to allow a 560 square foot, thirteen foot (13') tall accessory building in the rear yard. The applicant intends to use the accessory building to store woodworking tools and materials, as well as function as a workshop; the building is not intended to store vehicles. Currently, the applicant is storing materials within the carport and has requested a use permit to build the structure in order to relocate the materials. The proposed accessory building would be constructed no closer than five feet (5') from the rear property line. Per the Zoning and Development Code rear yard setbacks in the R1-6 zoning district is fifteen feet (15'); however, the rear yard setback for an accessory structure may be reduced if the lot is adjacent to a dedicated public alley. The applicant's property is adjacent to a dedicated public alley, therefore; the setback requirements may be measured from the centerline of the alley, which would place the proposed structure approximately fifteen feet (15') from the centerline. Staff recommends approval of the use permit as the structure meets the conditions set forth in the Zoning and Development Code for accessory buildings.

## Use Permit

The Zoning and Development Code requires a use permit for an outdoor an accessory structure in the Single-Family, R1-6 zoning district.

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
  - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - This use, with conditions, should not create nuisances within the residential area. The lot is located adjacent to Priest Drive, and the proposed building would be located on the Priest Drive (west side) side of the lot.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
  - The proposed accessory building would not contribute to neighborhood deterioration or downgrade property values. The requested use permit will allow the applicant to move materials currently being stored in the carport. It will also allow the applicant to park his cars in the carport rather than the street and/or driveway.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed accessory building use appears to be compatible with surrounding uses. The requested use permit will not be detrimental to the surrounding area.

## Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval.

## REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. The use appears to be compatible with the site and adjacent properties.
3. There appears to be a demonstrated need for this accessory building.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITION(S)  
OF APPROVAL:

- 1. Should the accessory building be converted into a garage to store vehicles, the property owner shall construct a gated opening in the rear wall, and pave the alley from the east property line to Priest Road.
- 2. Obtain all necessary clearances from the Building Safety department.
- 3. The proposed building shall match the existing residence in materials, color, and design.
- 4. The accessory building shall be built no taller than principle structure.

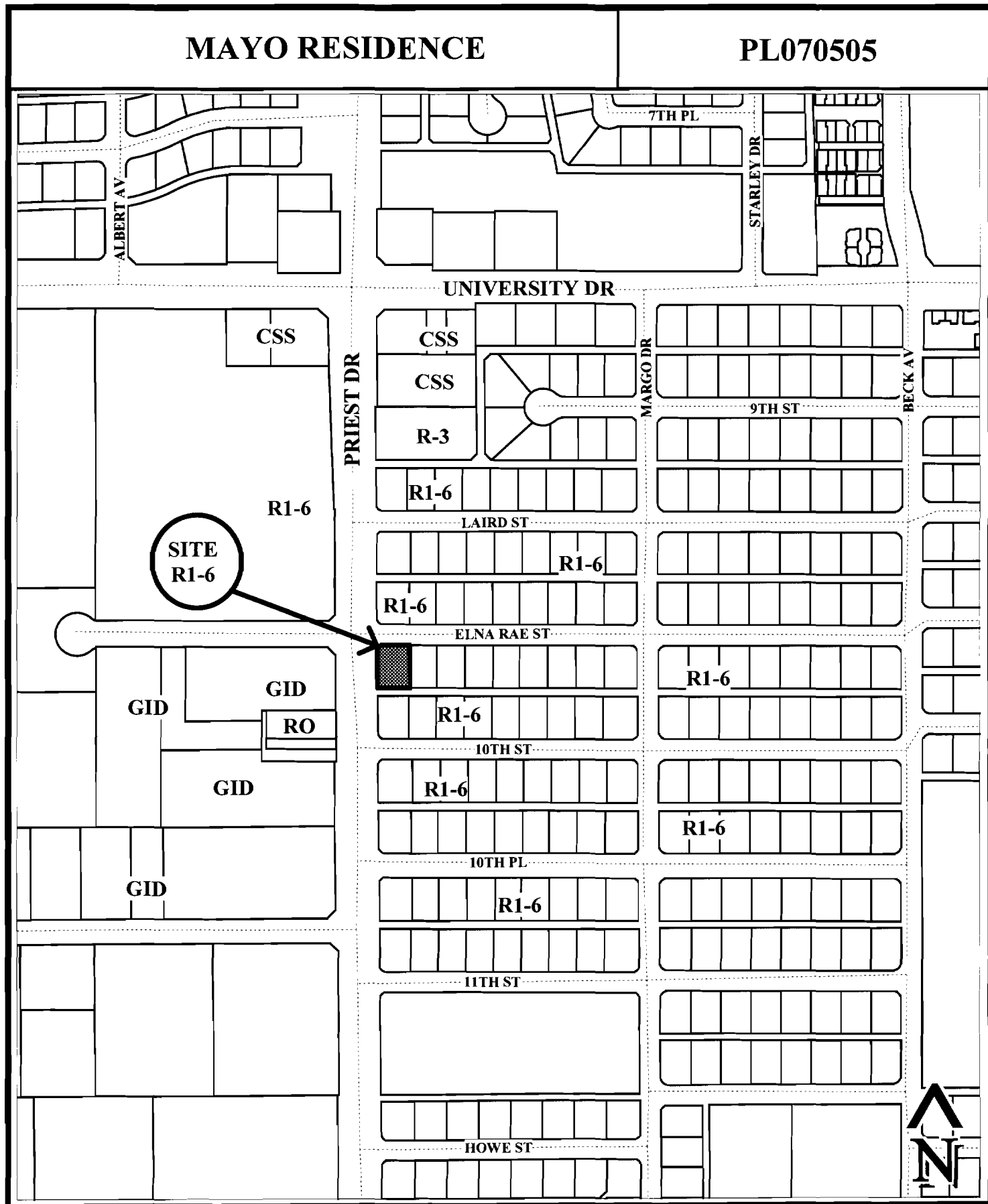
HISTORY & FACTS:           None pertinent to this case

DESCRIPTION:               Owner – Frank Mayo  
                                  Applicant – Frank Mayo  
                                  Existing Zoning – R1-6, Single Family Residential District  
                                  Lot Size – 8,115 square feet  
                                  Setbacks – Front: 20'  
  East side: 5'  
  West side (street side): 10'  
  Rear: 15'  
                                  Accessory Building – 560 square feet  
  13' tall

ZONING AND  
DEVELOPMENT  
CODE REFERENCE:           Part 3, Chapter 4, Section 3-401 Accessory Buildings, Uses and Structures  
                                  Part 4, Chapter 2, Section 4-202 Development Standards for Residential Districts

**MAYO RESIDENCE**

**PL070505**





MAYO RESIDENCE (PL070505)

Frank Mayo  
1349 W. Elna Rae St.  
Tempe, Arizona 85281

November 20, 2007

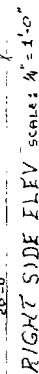
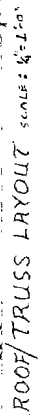
To: Planning & Zoning

The proposed building will be used for workshop, garage, and storage. I am a retired Industrial Arts teacher and my primary intent is to use the building as a place for my wood working power tools. In addition, the building will provide much needed storage and garage space.

A handwritten signature in black ink, appearing to read 'Frank Mayo' with a stylized flourish at the end.

Frank Mayo







**MAYO RESIDENCE**

**1349 W ELNA RAE ST**

**PL070505**

**FRONT OF RESIDENCE: VIEW TO SOUTH**



**MAYO RESIDENCE**

**1349 W ELNA RAE ST**

**PL070505**

**CARPORT: MISC STORAGE**